



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



October 18, 2016

Richard J. Bruckner
Director

Andrew Oliver
1405 N. Roosevelt Avenue
Pasadena, CA 91104

REGARDING: PROJECT NO. 2016-000369-(5)
OAK TREE PERMIT NO. RPPL 2016002144
CONDITIONAL USE PERMIT NO. RPPL 2016002957
162 E. LAS FLORES DR., ALTADENA, CA 91001 (5833-017-024)

Hearing Officer Bruce Durbin, by his action of **October 18, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **November 1, 2016. Appeals must be delivered in person.**

Appeals: To file an appeal, please contact:
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. A Notice of Exemption, if applicable, may also be filed according to the instructions in the enclosed Affidavit of Acceptance.

For questions or for additional information, please contact Carl Nadela of the Zoning Permits East Section at (213) 974-6435, or by email at cnadela@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Maria Masis, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)
c: DPW (Building and Safety); Zoning Enforcement
MM:CN

CC 060412

**FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. 2016-000369-(5)
OAK TREE PERMIT NO. RPPL 2016002144
CONDITIONAL USE PERMIT NO. RPPL 2016002957**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Oak Tree Permit No. RPPL 2016002144 (OTP) and Conditional Use Permit No. RPPL 2016002957 ("CUP") on October 18, 2016.
2. The permittee, Andrew Oliver ("permittee"), requests the OTP for the encroachment into the protected zone of three oak trees to allow the digging of a sewer trench and development of a second unit, and the CUP for the construction of a second unit above an existing garage within 8'10" of the rear lot line, in conjunction with an existing Single Family Residence ("Project") on a property located at 162 E. Las Flores Drive, in the unincorporated community of Altadena ("Project Site") in the R-R Zone pursuant to Los Angeles County Code ("County Code") sections 22.56.2060 and 22.44.127.D.1.f.
3. The Project is located at 162 E. Las Flores Drive, Altadena, CA 91001.
4. The Project Site is 0.3 acres in size and is currently developed with an existing Single Family Residence located in front (north) and an existing detached two-car garage and two-story storage area located at the back (south).
5. The Project Site is located in the Altadena Zoned District and is currently zoned as R-1-7500 (Single Family Residence with a Minimum Required Lot Area of 7,500 square feet).
6. The Project Site is located within the LD (Low Density Residential) land use category of the Altadena Community Plan Land Use Policy Map.
7. Surrounding Zoning within a 500-foot radius includes:

North: R-1-7500
South: R-1-7500
East: R-1-7500
West: R-1-7500
8. Surrounding land uses within a 500-foot radius include:

North: Single family residences
South: Single family residences, adult residential facility
East: Single family residences
West: Single family residences
9. Ordinance 5541 was adopted on May 9, 1950, which established the R-1-7500 zone on the subject property.

Ordinance 10710 was adopted on June 28, 1973, changing the zone of the subject property to O-S (Open Space).

Zoning Conformance Review No. 201500391 was approved on June 23, 2015, which authorized a 593 square foot bedroom and bathroom addition attached to a 1,104 square foot patio and a 4 foot deck attached to the new addition.

Zoning Conformance Review No. RPPL 2015000330 was approved on January 14, 2016, which authorized the removal by hand of unpermitted structures located in the rear of the property.

10. The Site Plan depicts the whole parcel with the existing Single Family Residence located in front (north) and an existing detached two-car garage at the back (south). The site plan also indicates an existing two-story residence at the back, but as per approved Building Permit records, this space has only been permitted as storage space. Furthermore, the site plan also indicates a proposed two-car carport on the western side and a proposed addition to the detached garage structure. Finally, the site plan also indicates three oak trees at the back of the property and one at the front.
11. The Project Site is accessible via East Las Flores Drive to the north.
12. The site plan indicates a proposed two-car carport for the existing single family residence and the existing detached two-car garage for the proposed second unit.
13. A letter from the County Fire Department, Forestry Division, dated September 1, 2016, was received indicating that the Oak Tree Report submitted by the applicant's consulting arborist is accurate and complete as to the location, size, condition, and species of the oak trees at the site. Their proposed conditions are attached to the Conditions of Approval of this Oak Tree Permit.
14. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 3, Construction or Conversion of Small Structures and Class 4, Minor Alterations to Land, categorical exemptions from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the project involves only the construction of a small second unit and two-car carport and does not propose to remove or severely damage any oak trees.
15. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
16. On September 13, staff received an email from a neighboring property owner indicating that while the physical changes to the property do not affect her, she did not support any disturbances to the trees. She also indicated that if the project does not

endanger the trees in any way, it was her opinion that a permit should not be a problem. Because of the Forester's clearance of the project, the Hearing Officer finds that this concern has been addressed. Staff also received another email on October 13, 2016 indicating similar concerns, as well as a letter from the Altadena Town Council indicating that their Land Use Committee had voted to recommend approval of the project without conditions.

17. The Hearing Officer held a duly-noticed public hearing on the Oak Tree Permit and Conditional Use Permit on October 18, 2016. The Hearing Officer heard a presentation from Regional Planning staff. The permittee and the property owner were present at the hearing to answer any questions but did not provide additional testimony. The Hearing Officer raised some concern about the existing chain link fence in the front of the property. The property owner indicated that this fence will be removed and the Hearing Officer directed staff to include the removal of this fence as a condition of approval of the permit. The Hearing Officer then closed the public hearing and approved the Oak Tree Permit and Conditional Use Permit, subject to the attached findings and conditions, as modified.

18. The Hearing Officer finds that the proposed second unit and associated oak tree encroachments and modification of the rear yard setback, are consistent with the LD (Low Density Residential) land use category of the Altadena Community Plan.

This designation corresponds to common suburban tract residential development and the purpose of this designation is to preserve single-family neighborhoods. The proposed second unit and associated oak tree encroachments and modification of the rear yard setback are consistent with the single-family residential neighborhood of the area and is thus consistent with this designation.

19. The Hearing Officer finds that the proposed second unit and associated oak tree encroachments and modification of the rear yard setback are consistent with the R-1-7500 (Single Family Residence with a Minimum Required Lot Area of 7,500 square feet) Zone pursuant to sections 22.20.105 to 150 (R-1 Development Standards) and 22.44.127 (Altadena Community Standards District) of the County Code.

The maximum height for residences and other structures in the R-1 zone is 35 feet, except for chimneys and rooftop antennas. The highest point of the proposed second unit above the detached garage will be 20'11", in compliance with this requirement.

An addition to the R-1 zone standards, Section 22.52.1750.B.5.a.i also prescribes a maximum height of 17 feet for detached second units in urban areas. However, since the physical structure proposed for the second unit already exists at the height indicated above, the structure itself has been deemed legally non-conforming due to height.

As per the R-1 zone provisions, the subject site is required to have a front yard of at least 20 feet, side yards of at least 5 feet and rear yard of at least 15 feet. The existing single family residence and the proposed second unit are in compliance with these

yard requirements, except for the rear yard requirement. This application includes a request for a CUP to allow less than required rear yard setback at the site.

In addition to the minimum 20 foot yard requirement, the CSD also requires that the front yard shall not be less than the average depth of all the front yards on the same side of the street on the same block. While this project does not propose any modifications to the front yard, a review of the project site plan and the block its located indicate that it has an approximately 40 feet front yard, which is typical of the neighboring houses.

The CSD also requires that the rear yard be at least 35 feet. Because the rear yard proposed by the project is 8'10", a CUP is required pursuant to Section 22.44.127.D.1.f. The approval of this application will satisfy this requirement.

The existing single family residence and the proposed second unit at the site are both required to have two covered standard automobile parking spaces each. The existing detached 2-car garage and the proposed 2-car carport will satisfy this requirement.

20. The Hearing Officer finds that the proposed oak tree encroachments meet the Oak Tree Permit Burden of Proof requirements pursuant to Section 22.56.2100 of the County Code.

21. The Hearing Officer finds that the proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56, on the subject property.

The Oak Tree Report submitted by the applicant and reviewed by the County Forester, as well as this Oak Tree permit, contains conditions that are intended to protect the three oak trees at the site. With the implementation of these conditions, the health of these trees will not be endangered

22. The Hearing Officer finds that that the proposed project will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated.

The project does not proposed to remove any oak trees and the proposed encroachments are located in the southern portion of the property, which is relatively flat in topography. Thus, the proposed encroachment into the protected zones of the three oak trees will not result in any increase in flow of surface water on the subject property that cannot be mitigated on site.

23. The Hearing Officer finds that proposed encroachment into the protected zone of the three oak tree will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

As per the Oak Tree Report prepared by Scott McAllaster, consulting arborist, on April 30, 2016, the proposed encroachments into the protected zones of the oak trees are

unavoidable for the development being proposed by the property owner. The approval of this Oak Tree Permit, with the attached conditions, will ensure that the health of the oak trees in question will be preserved.

24. The Hearing Officer finds that the proposed project meets the Conditional Use Permit Burden of Proof requirements pursuant to section 22.56.040 of the County Code.
25. The Hearing Officer finds that the requested use at this location will not adversely affect the health, peace, comfort or welfare of persons residing, working or commuting in the area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the health, safety or general welfare of the public.

The proposed second unit is located on the rear of the property and is buffered from the neighboring properties with an approximately 5 foot block wall. Its design is also compatible with the surrounding areas and is not expected to have any adverse effects on the surrounding neighborhoods.

26. The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The project site is approximately 0.3 acres in size, with a fairly large backyard. There is ample space for the proposed second unit, as well as for the garage and carport required for the existing single family residence and proposed second unit.

27. The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required. The proposed site is adequately served by public utilities as required by the proposed use.

The property is directly adjacent to E. Las Flores Drive, and has access to energy and other public utilities.

28. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Altadena Library at 600 E. Mariposa St., Altadena, CA 91001. On September 8, 2016, a total of 360 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1,000-foot radius from the Project Site, as well as 16 notices to those on the courtesy mailing list for the Altadena Zoned District and to any additional interested parties.

29. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits East Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan and the Altadena Community Plan.
- B. The proposed construction or proposed use will be accomplished without endangering the health of the remaining trees subject to Part 16 of Chapter 22.56 of the County Code on the subject property.
- C. The proposed encroachment of the oak trees will not result in soil erosion through the diversion of increased flow of surface waters which cannot be satisfactorily mitigated.
- D. The proposed encroachment of the oak trees is necessary as continued existence at present locations frustrates the planned development and proposed use of the subject property to such an extent that placement of such trees precludes the reasonable and efficient use of such property for a use otherwise authorized.
- E. The proposed encroachment of oak trees will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.
- F. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- G. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- H. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to sections 15303 and 15304 of the State CEQA Guidelines (Class 3,

Construction or Conversion of Small Structures and Class 4, Minor Alterations to Land categorical exemptions); and

2. Approves Oak Tree Permit No. RPPL 2016002144 and Conditional Use Permit No. RPPL 2016002957, subject to the attached conditions.

ACTION DATE: October 18, 2016

MM:CN

10/5/2016

c: Zoning Enforcement, Building and Safety

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. 2016-000369-(5)
OAK TREE PERMIT NO. RPPL 2016002144
CONDITIONAL USE PERMIT NO. RPPL 2016002957**

PROJECT DESCRIPTION

The applicant is requesting 1) an Oak Tree Permit to authorize the encroachment into the protected zone of three oak trees to allow the digging of a sewer trench and development of a second unit; and 2) a Conditional Use Permit to allow the construction of a second unit above an existing garage within 8'10" of the rear lot line as per the Altadena Community Standards District.

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but

not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.

If any inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for any enforcement efforts necessary to bring the subject property into compliance. The amount charged for inspections shall be \$200.00 per inspection, or the current recovery cost at the time any inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to

the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.

11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of said department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
14. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A".

PERMIT SPECIFIC CONDITIONS – OAK TREE PERMIT

17. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated September 1, 2016 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division.
18. The permittee shall plant one healthy acorn of the same species of oak (*Quercus sp.*) as the tree removed for each mitigation tree planted, if any. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.

19. All replacement trees shall be planted on native undisturbed soil and shall be the same species of oak (*Quercus sp.*) as the removed tree. The location of the replacement tree shall be in the vicinity of other oak trees of the same species. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.
20. When replacement trees are planted on disturbed soil or are not in the vicinity of the same species of oak (*Quercus sp.*) as the removed tree, planting shall incorporate a mycorrhizal product, either as amendment or in the first two irrigations or watering of planted trees (i.e. "mycorrhizaROOTS" or similar product) in accordance with the label's directions. A layer of humus and litter from beneath the canopy of the removed tree shall also be applied to the area beneath the canopies of the replacement trees to further promote the establishment of mycorrhizae within their rooting zones.
21. That the trees on the site plan be physically identified by number on a tag affixed to the north side of the tree in a manner preserving the health and viability of the tree. The tag shall be composed of a noncorrosive all-weather material and shall be permanently affixed to the tree. The tree shall be similarly designated on the site plan in a manner acceptable to the director,
22. At the start of grading operations and throughout the entire period of development, no person shall perform any work for which an oak tree permit is required unless a copy of the oak tree report, location map, fencing plans, and approved oak tree permit and conditions are in the possession of a responsible person and also available at the site.

PROJECT SITE SPECIFIC CONDITIONS

23. This grant shall authorize a modification to the Altadena Community Standards District to authorize the development of a second unit adjacent to and on top of a two-car garage within the required rear yard ("Project") on a property located at 162 E. Las Flores Drive in the unincorporated community of Altadena ("Project Site") in the R-1-7500 zone pursuant to Los Angeles County Code ("County Code") section 22.44.127.D.1.f. The resulting rear yard from the Project will be 8 feet and 10 inches.
24. The existing chain link fence at the front of the property shall be removed upon completion of the construction activities at the site.

Attachments:

County Forester's Letter dated **September 1, 2016**.
Oak Trees: Care and Maintenance Guide



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

September 1, 2016

Carl Nadela, Planner
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Carl Nadela:

**OAK TREE PERMIT NUMBER RPPL 2016-002144
PROJECT NUMBER 2016-000369-(5)
162 EAST LAS FLORES STREET, ALTADENA**

We have reviewed the "Request for Oak Tree Permit #RPPL 2016-002144." The project is located at 162 East Las Flores Street in the unincorporated area of Altadena. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by James Sanchez, the consulting arborist, dated October 28, 2015.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$300. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	BRADBURY	CUDAHY	HAWTHORNE	LA HABRA	LYNWOOD	PICO RIVERA	SIGNAL HILL
ARTESIA	CALABASAS	DIAMOND BAR	HIDDEN HILLS	LA MIRADA	MALIBU	POMONA	SOUTH EL MONTE
AZUSA	CARSON	DUARTE	HUNTINGTON PARK	LA PUENTE	MAYWOOD	RANCHO PALOS VERDES	SOUTH GATE
BALDWIN PARK	CERRITOS	EL MONTE	INDUSTRY	LAKEWOOD	NORWALK	ROLLING HILLS	TEMPLE CITY
BELL	CLAREMONT	GARDENA	INGLEWOOD	LANCASTER	PALMDALE	ROLLING HILLS ESTATES	WALNUT
BELL GARDENS	COMMERCE	GLENDALE	IRVINDALE	LAWDALE	PALOS VERDES ESTATES	ROSEMEAD	WEST HOLLYWOOD
BELLFLOWER	COVINA	HAWAIIAN GARDENS	LA CANADA-FLINTRIDGE	LOMITA	PARAMOUNT	SAN DIMAS	WESTLAKE VILLAGE
						SANTA CLARITA	WHITTIER

incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection prior to the commencement of construction and two (2) subsequent inspections until the conditions of approval have been met. The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department's Forestry Division stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester, any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary chainlink fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan and conditions of approval.

PERMITTED OAK TREE ENCROACHMENT:

7. This grant allows encroachment within the protected zone of three (3) trees of the Oak genus identified as Tree Number 2, 3, and 4 on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved and treated as recommended by the consulting arborist.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two-inches in diameter or less in accordance

with the guidelines published by the National Arborist Association. Copies of these guidelines are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachments.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus agrifolia, grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester, indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.
17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department's Forestry Division for all enforcement efforts necessary to bring the subject property into compliance.

To schedule a County Forester inspection, please contact the Environmental Review Unit at (818) 890-5719.

If you have any additional questions, please contact this office at (818) 890-5758.

Very truly yours,


J. LOPEZ, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JL:jl

Enclosure